

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:)	Group Art Unit:	3473
)		
KIEFHABER, et al.)	TC/A.U.	2609
)		
Serial No.: 10/815,534)	Examiner:	NGUYEN, K.
)		
Filed: March 31, 2004)	<u>DECLARATION OF DOUGLAS W.</u>	
)	<u>SWARTZ</u>	
Atty. File No.: 4366-140)	<u>UNDER 37 C.F.R. §1.131</u>	
)		
For: "CONTACT CENTER AND)		
METHOD FOR TRACKING AND)		
ACTING ON ONE AND DONE)		
CUSTOMER CONTACTS)		

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

I, Douglas W. Swartz, declare as follows:

1. I am employed by Sheridan Ross, P.C., outside counsel of Avaya Technology Corp., the current assignee of the above application. This Declaration is being submitted in connection with prosecution activities for the above-referenced patent application.

2. Patent Submission 403037 was received by Sheridan Ross, P.C., on June 26, 2003. On June 30, 2003, I reviewed the submission, had a file opened, and contacted the named inventors regarding scheduling an in-person interview to discuss this and two other patent submissions. Emails were exchanged among the various parties on June 30 and July 1, 3, and 8, 2003, attempting to schedule the interview.

3. The interview was held in Westminster, Colorado, on or about July 8, 2003. At the meeting, we discussed three separate inventions, each of which was to be the subject of a separate patent application.

4. The lengthy tapes for the interview were transcribed after the meeting. Due to the length of the tapes, transcription required a substantial amount of effort and time. Annotated portions of the transcript are attached as Exhibit "B" to the Declaration of Henry R. Paddock.

5. After the transcript was completed, I commenced preparing drafts of the above-captioned application and the applications directed to the other two submissions. For the sake of

efficiency and continuity, I prepared all three applications myself. The draft of the above-captioned application was prepared during the month of December.

6. A draft of the above-referenced patent application was forwarded to the inventors for review and comment on or about January 5, 2004. The drafts of the other two applications were sent to the inventors in December, 2003. On February 11, 2004, I sent a reminder to the inventors to review the applications.

7. I received comments from the inventors by email on or about February 24, 2004.

8. I thereafter revised the draft applications and forwarded them to the inventors for further review on March 8, 2004.

9. I subsequently sent an email to the inventors on March 15, 2004, requesting their further review of the applications as the applications needed to be filed by the end of March.

10. Katherine Sobus sent us an email on March 16, 2004, requesting a copy of any document that needed to be signed before her departure on a trip to South America the following week. She was to return from the trip on March 29, 2004.

11. Further emails were exchanged between outside counsel and Ms. Sobus on March 25, 2004, regarding execution of documents.

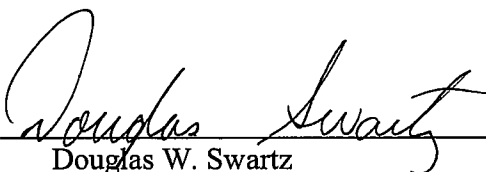
12. Final drafts of the applications were forwarded to the inventors on March 25, 2004.

13. Upon information and belief, we received the signed Declarations and Powers of Attorney and Assignments for all three applications the last week of March.

14. All three applications, including the above-referenced application, were subsequently filed with the USPTO on March 31, 2004.

15. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements were made with the knowledge that willful false statements and the like, so made, are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the subject application or any patent issuing thereon.

Date: Nov. 7, 2007

By: 
Douglas W. Swartz
Reg. No. 37,739